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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

ANTHONY PERRY,

Defendant and Appellant.

D044142

(Super. Ct. No. SCE232853)

APPEAL from a judgment of the Superior Court of San Diego County, Herbert Exarhos, Judge. Affirmed.

Anthony Perry entered a negotiated guilty plea to engaging in sexual intercourse with a minor under 16 years of age. (Pen. Code, § 261.5 subd. (d).) The court sentenced him to prison for a stipulated two-year lower term. The court issued a certificate of probable cause. (Cal. Rules of Court, rule 30(b).)

At the preliminary hearing 14-year-old Tashon C. testified that on August 12, 2003, Perry engaged in sexual intercourse with her.

## DISCUSSION

Appointed appellate counsel has filed a brief setting forth the evidence in the superior court. Counsel presents no argument for reversal but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as possible but not arguable issues: (1) Whether Perry's guilty plea was constitutionally valid, and; (2) whether Perry's trial counsel provided effective assistance.

We granted Perry permission to file a brief on his own behalf. He has not responded. A review of the entire record pursuant to *People v. Wende, supra*, 25 Cal.3d 436, including the possible issues referred to pursuant to *Anders v. California, supra*, 386 U.S. 738, has disclosed no reasonably arguable appellate issue. Competent counsel has represented Perry on this appeal.

## DISPOSITION

The judgment is affirmed.

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McINTYRE, J.

WE CONCUR:

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HUFFMAN, Acting P. J.

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O'ROURKE, J.